

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP  
100 Bush Street, Suite 1800  
San Francisco, CA 94104

THOMAS E. DUCKWORTH (SBN 152369)

([tom@dplolaw.com](mailto:tom@dplolaw.com))

MONIQUE OLIVIER (SBN 190385)

([monique@dplolaw.com](mailto:monique@dplolaw.com))

**DUCKWORTH PETERS LEBOWITZ OLIVIER LLP**

100 Bush Street, Suite 1800

San Francisco, California 94104

Telephone: (415) 433-0333

Facsimile: (415) 449-6556

TODD SLOBIN (*Pro Hac Vice pending*)

DARYL J. SINKULE (*Pro Hac Vice pending*)

SIDD RAO (*Pro Hac Vice pending*)

DORIAN VANDENBERG-RODES (*Pro Hac Vice pending*)

**SHELLIST | LAZARZ | SLOBIN LLP**

11 Greenway Plaza, Suite 1515

Houston, Texas 77046

Telephone: (713) 621-2277

Facsimile: (713) 621-0993

Attorneys for Plaintiffs and the proposed Class

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JOAN AMBROSIO, JANE LACAP, KEITH  
SWICK, BILL CHAN, COSMIN BANU,  
SHAHID RAHMATULLAH, DANA  
ROGERS, TONY TRINH, CHRISTIAN  
HALLORAN, NOVELETT WITT, ART  
BAIMKIN, ANGELITO MUYOT JR.,  
JASON RUIS, KESHAV LILBURN  
KAMATH PEET SAPSIN, and ALICIA  
ERBY

Plaintiffs,

v.

COGENT COMMUNICATIONS, INC.,

Defendant.

**CLASS AND COLLECTIVE ACTION**

Case No 3:14-cv-02182-RS

**JOINT STIPULATION PER LOCAL  
RULE 6-2 and ~~PROPOSED~~ ORDER  
REGARDING MOTION AND CASE  
MANAGEMENT SCHEDULE**

**STIPULATION**

Plaintiffs Joan Ambrosio et al. (“Plaintiffs”) and Defendant Cogent Communications, Inc. (“Defendant”)(collectively, the “Parties”), through their counsel, hereby stipulate and agree that:

WHEREAS, on July 14, 2014, Defendant filed its Motion for Judgment on the Pleadings to be heard in this Court on August 14, 2014 (Dkt. 12-14);

WHEREAS, on July 15, 2014, the Court continued the hearing on the Motion to August 28, 2014 at 1:30 p.m. (Dkt. 15);

WHEREAS, Plaintiffs’ counsel has several upcoming deadlines that conflict with the current briefing schedule and hearing date, including a motion for class certification and a hearing on that motion in a proposed statewide employment class action, an appeal in an individual employment case, and active discovery including rescheduled depositions in an individual discrimination case;

WHEREAS, the Parties have not previously sought any extension of time in this action;

WHEREAS, the Parties also propose that the Court continue the Initial Case Management Conference, currently set for August 21, 2014, to the same date as the hearing on Defendant’s motion.

NOW, THEREFORE, Plaintiffs and Defendant, through their respective counsel, hereby stipulate, subject to the approval of the Court, to the following schedule:

September 4, 2014                      Plaintiffs’ Opposition

September 18, 2014                      Defendant’s Reply

October 2, 2014, 1:30 p.m.      Hearing/Initial Case Management Conference

1 Dated: July 22, 2014

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP

2 By: /s/ Monique Olivier

Monique Olivier

3 Attorneys for Plaintiffs

4 Dated: July 22, 2014

HAYNES & BOONE, LLP

5 By: /s/ Tamara I. Devitt\*

Tamara I. Devitt

6 Attorneys for Defendant

7  
8 \*I, Monique Olivier, attest that Tamara Devitt has concurred in the filing of this document.  
9 (L.R. 5-1(i).)

10 ~~PROPOSED~~ ORDER

11  
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13  
14 Dated: 7/24/14

15 

16 Richard Seeborg, Judge

17 United States District Court